IN THE UNITED STATES DISTRCT COURT FOR THE DISTRICT OF MARYLAND (Southern Division)

MANUFACTURERS AND TRADERS)	
TRUST COMPANY,)	
)	
)	
Plaintiff,)	
)	
V.)	Case No. 8:16-cv-03346-GJH
)	
DEL CONCA USA, INC., et al.,)	
)	
)	
Defendants.)	
)	

ORDER GRANTING MANUFACTURERS AND TRADERS TRUST COMPANY'S MOTION FOR ENTRY OF AN ORDER OF INTERPLEADER AND OTHER RELATED RELIEF

Upon consideration of the Motion filed by Plaintiff, Manufacturers and Traders Trust Company ("M&T") for Entry of an Order of Interpleader and Other Related Relief ("Motion"), and any Opposition thereto, this Court finding that: (a) it has jurisdiction over this matter, (b) entry of an order of interpleader pursuant to 28 U.S.C § 1335 is warranted, and (c) M&T is entitled to recover its reasonable attorneys' fees and expenses, it is hereby ORDERED:

- 1. The Motion be and hereby is GRANTED; and it is further ORDERED
- 2. That M&T shall deposit \$284,662.69 ("Interpleaded Funds") with the registry of the Court, which is equal to the amount of the "Funds" (as that term is defined by the Motion) that are the subject of the above-captioned case less the amount of reasonable attorneys' fees and expenses M&T is entitled to recover, as set forth more specifically in paragraph 8 of this Order; and it is further ORDERED

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3. That upon deposit of the Interpleaded Funds with the Court, M&T Bank shall be

dismissed from this action; and it is further ORDERED

4. That upon deposit of the Interpleaded Funds with the Court, M&T shall be

discharged from any liability to Defendants, Nathaniel L. Akers ("Akers") and Del Conca USA,

Inc. ("Del Conca") with respect to the Funds; and its further ORDERED

5. That upon deposit of the Interpleaded Funds with the Court, Akers and Del Conca

are permanently enjoined from instituting, prosecuting or claiming that M&T is liable to it on

account of the Funds before any Federal Court, State Court, agency or any other governing

authority, including, but not limited to, in the New York State Court Action (as that term is

defined by the Motion); and it is further ORDERED

6. That upon deposit of the Interpleaded Funds with the Court, Akers and Del Conca

shall interplead as to the Interpleaded Funds; and it is further ORDERED

7. That upon deposit of the Interpleaded Funds with the Court, Del Conca shall be

named the Plaintiff and Akers shall be named as the Defendant; and it is further ORDERED

8. M&T is entitled to an award of attorneys' fees and expenses in this matter in the

amount of \$18,000.00, which this Court determines to be reasonable and necessary.

Honorable George J. Hazel United States District Judge

Copies to:

All counsel of record.

Nathaniel L. Akers, Defendant.

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